



Department of Energy
Germantown, MD 20874-1290

November 12, 1997

Mr. Patrick W. Cooke
Project Coordinator
Office of Standards Services
National Institute of Standards and Technology
Building 820, Room 164
Gaithersburg, Maryland 20899

Dear Mr. Cooke:

This letter responds to your September 11, 1997, memorandum in reference to the Annual Agency Report on Standards Policy Activities, to the Interagency Committee on Standards Policy.

As Standards Executive for the Department of Energy, I am providing our input for the Fiscal Year 1997 Annual Report to the Office of Management and Budget on the Status of Agency Interaction with Voluntary Standards Bodies. Included with our input is supplementary information regarding Department of Energy activities related to the principles and objectives of Public Law 104-113 and Office of Management and Budget Circular A-119.

We are providing narrative text on a 3.5-inch diskette in Word Perfect 6.0a, as you requested. This narrative text will also be provided separately through e-mail. If you have any questions, please contact Richard Serbu, the Department's Technical Standards Program Manager at (301) 903-2856 or Jeffrey Feit at (301) 903-3927.

Sincerely,

A handwritten signature in black ink, reading "Richard L. Black".

Richard L. Black, Director
Office of Nuclear Safety
Policy and Standards

2 Enclosures

cc P. Brush, EH-1
O. Pearson, EH-3
J. Feit, EH-31
R. Serbu, EH-31
D. Williams, LMER



Printed with soy ink on recycled paper

DEPARTMENT OF ENERGY (DOE)

The DOE implements the Federal guidance and requirements in OMB Circular A-119 and the statutory requirements in Public Law (PL) 104-113 (15 USC 272) on the use of voluntary standards through specific Departmental policy and supporting management systems.

DOE P 251.1, “Directives System,” establishes a Directives System for managing DOE requirements and guidance documents and incorporates technical standards (i.e., those standards that are specifically addressed in PL 104-113) as the foundation of the Department’s directives system hierarchy. This policy clearly states DOE’s preference to “adopt National Consensus Standards and other commercial and industry standards...” in the conduct of Departmental activities. The policy also contains provisions restricting the use of mandated technical standards in DOE rulemaking and Orders stipulating DOE-specific requirements.

DOE P 410.1A, “Promulgating Nuclear Safety Requirements,” also requires notice and comment rulemaking to promulgate new nuclear safety requirements. The new nuclear safety requirements promulgated by the Department are “performance-based” rules which permit the adoption of commercial and industry standards as acceptable methods to implement the rules when appropriate for the work to be conducted and the hazards to be encountered.

These Departmental policies on the use of voluntary standards are subsequently implemented through a management system established through DOE Order 1300.2A, “Department of Energy Technical Standards Program.” This Order requires DOE elements to use international and national voluntary standards in preference to Federal and DOE standards, consistent with PL 104-113 and OMB a-119. It also establishes an integrated Department wide Technical Standards Program and supporting infrastructure designed to implement Federal and DOE technical standards requirements and manage related activities within DOE. As advocated in OMB Circular a-119 and PL 104-113, the Order encourages and supports staff participation in the planning, development, and coordination activities of voluntary standards committees.

As of November 1997, DOE Order 1300.2A is being updated to incorporate references to PL 104-113 and the pending revision to OMB Circular a-119. In the interim, the Assistant Secretary for Environment, Safety and Health issued an information memorandum to the Department’s cognizant secretarial officers (i.e., senior DOE line managers in Washington, D.C.) describing the new Public Law, its impact upon DOE, and the planned implementation of the law through the Technical Standards Program.

Another element serving to manage implementation of OMB Circular a-119 is DOE’s Department Standards Program. This was established to institute “standards” (in this application, “standards” include policy, laws, rules, guides, and technical standards) as the basis for work throughout the Department. A Department Standards Committee (DSC) was established in 1994 and served to establish DOE standards policy and remove barriers to implementing a Department

wide standards-based culture. The DSC assists DOE line organizations in the implementation of this Department Standards Program. The “Criteria for the Department’s Standards Program,” DOE/EH/-0416, August 1994, describes elements of the standards-based operating culture envisioned by DOE leadership. Information on the Department Standards Program and the DSC can be accessed at the following Internet address (URL):

<http://www.dsc.doe.gov>

The DSC has sponsored development and implementation of a DOE-wide process that enables DOE contractors to select voluntary consensus standards as the basis for their work in-lieu-of mandated DOE-developed standards. This “Work Smart” standards approach (also referred to as the “necessary and sufficient” process) enables DOE laboratory and management and operating contractors, with DOE approval, to identify and apply the set of standards (including technical standards) that best fits their activities. This approach focuses on outcomes and performance, rather than “how” things are to be done within DOE, and is supported by a major contract reform effort designed to more closely link performance expectations with contractual obligations based on standards.

Key Departmental policy and requirements documents defining this approach include DOE P 450.3, “Authorizing Use of the Necessary and Sufficient Process for Standards-Based Environment, Safety and Health Management,” and DOE M 450.3-1, “The Department of Energy Closure Process for Necessary and Sufficient Sets of Standards.” Field pilot projects of the approach have been completed, and significant efficiencies and cost-savings have been demonstrated. Based on the success of the pilot projects, the “Work Smart” standards approach was expanded to cover a broad range of Department programs and facilities. In Fiscal Year (FY) 1997, key Technical Standards Program personnel participated in several DSC working groups that focused on tailoring/integration of “Work-Smart” standards activities and DSC support for the Department’s “Integrated Safety Management” initiative.

The DOE Standards Executive, Richard L. Black, Director, Office of Nuclear Safety Policy and Standards, continues to be responsible for developing and implementing the DOE Technical Standards Program throughout the Department. He also advises and provides staff support to the Department Standards Committee. Through Mr. Black’s participation on the Interagency Committee on Standards Policy, DOE continues to provide information to other Federal agencies on the Department’s approach to establishing a standards-based culture.

DOE Order 1300.2A emphasizes the use of technical standards within the Department. The Department’s Technical Standards Program Office (TSPO) operates to implement program policy, supports the conversion of Department standards to voluntary standards, identifies voluntary standards that can suit Department needs, develops and maintains data bases to support the program and meet reporting requirements, and coordinates day-to-day Department technical standards activities. The TSPO has developed procedures, methods, and training approaches to implement the DOE Technical Standards Program and communicate the policy to use voluntary

standards throughout DOE and, when appropriate, participate in voluntary standards committee activities. The program procedures establish a five-year standards review cycle to check for continued applicability; the procedures also provide guidance on the conversion of Department standards to voluntary standards.

Information on the Technical Standards Program and the TSPO can be accessed at the following Internet address (URL):

<http://apollo.osti.gov/html/techstds/techstds.html>

Technical Standards Managers (approximately 80 individuals representing the various Department headquarters, field, laboratory and contractor organizations) have been designated to coordinate the consistent implementation of the program. Established in 1992, the Technical Standards Managers' Committee (comprised of these Technical Standards Managers) operates under the DOE Technical Standards Program, supports the DOE sites in technical standards activities, facilitates communications on program implementation issues, and participates in establishing program goals and procedures. Publications documenting the voluntary standards adopted by DOE and the personnel participating in the activities of voluntary standards groups are developed by the TSPO; the information in those publications is electronically posted for Internet access.

A new initiative undertaken in FY 1997 involves the recognition of "topical" standards committees within the Department. These committees are composed of subject matter experts in the DOE community and can be used as a focal point for standards activities in specific technical areas. The topical committees provide a forum for all interested DOE parties to join and participate in reviewing technical standards produced by counterpart voluntary standards organizations, address standards application issues within their area of technical expertise, and work to develop Department and Federal positions on standards issues. As of October 1997, 12 DOE topical committees have been recognized by the Technical Standards Program. (These committees are identified on the program Internet address listed at the top of this page).

In summary, DOE continues to take a "pro-active" approach to standards and standards management even as its mission continues to evolve in response to the conclusion of the Cold War and shrinking Congressional appropriations. a number of programs and facilities have shifted their focus from production, research, and/or development to environmental remediation and restoration, where DOE will literally be breaking new ground and setting standards for others to follow. In addition, Department staffing levels are declining to meet Congressional budget constraints. Still, in the face of a changing mission and a reduced work force, DOE continues to actively use and support the development of voluntary standards to meet its needs. In FY 1997, the number of voluntary standards adopted for use increased to 809 (799 in 1996). In addition, the number of individuals participating in voluntary standards activities has increased to 871 (848 in 1996); however, the number of documented participations in standards developing groups declined to 1540 (1618 in 1996).

Also, DOE (through the TSPO) is continuing its initiative (in response to contacts from voluntary standards organizations on how the Department is meeting PL 104-113) to better define “candidate” DOE technical standards for conversion to voluntary standards. We are continuing to work with representatives of the American National Standards Institute’s Nuclear Standards Board (ANSI-NSB) on the conversion of selected DOE technical standards to voluntary standards. (Four candidate standards have been identified to date).

In addition, DOE sponsored meetings in October 1996 and July 1997 with representatives of several voluntary standards organizations (ASTM, ASME, ANS, NFPA, ASCE, et al.) as part of a more structured program interface with the voluntary standards community to promote developing new standards that may be needed through those organizations rather than within DOE.

Other highlights of DOE’s interaction with voluntary standards bodies include the following:

- C** In FY 1993, DOE began conducting an annual national workshop promoting the Technical Standards Program and the use of voluntary standards. These workshops featured presentations by standards executives from various voluntary standards bodies and major U.S. companies. Each workshop was attended by approximately 150 standards developers and users. The FY 1997 Technical Standards Program workshop was held on July 8-10, 1997; another workshop is planned for FY 1998.
- C** In addition to the ANSI-NSB, DOE representatives participate on ANSI’s Board of Directors and Executive Standards Council. DOE also participates in a number of international standards groups such as ISO/TC 85, Nuclear Energy, ISO/TC 176, Quality Assurance, and ISO/TC 207, Environmental Management.

Reporting requirements for OMB Circular a-119 (paragraph 10 of proposed revision):

- 1) The number of voluntary consensus standards bodies in which there is agency participation, as well as the number of agency employees participating.
 - Number of standards bodies: 75
 - Number of agency personnel participating: 871
 - Total number of agency participations: 1540
- 2) The number of voluntary consensus standards the agency has used since October 1, 1996 (or, as appropriate, those based on the procedures set forth in Section 8 of the proposed revision to the Circular). 809 (adopted for use)
- 3) Identification of voluntary consensus standards that have been substituted for government-unique standards as a result of an agency review of existing standards (or as outlined under paragraph 7.c(6) of the proposed revision of the Circular. 0
- 4) An evaluation of the effectiveness of the guidelines in Section 7 of the proposed revision to the Circular and recommendations for any changes.

Response – The guidance in Section 7 of the proposed revision to OMB Circular a-119 appears to be sufficient in terms of outlining the basic functions and responsibilities of Federal agency standards management and standards participation activities. It allows sufficient latitude for each Federal agency to develop its own approach tailored to specific agency needs, and places the emphasis on outcomes rather than processes.

- 5) As required by PL 104-113, when the agency used government-unique standards in-lieu-of voluntary consensus standards.

Response – There were no recorded cases in FY 1997 where the Department selected to use an internal standard in-lieu-of an equivalent, existing voluntary standard.